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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/058,117

01/29/2002

Yutaka Iyoki

P21951

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08/23/2005

GREENBLUM & BERNSTEIN, P.L.C.

1950 ROLAND CLARKE PLACE

RESTON, VA 20191

EXAMINER

PATEL, CHIRAG R

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/058,117

Applicant(s)

IYOKI, YUTAKA

Examiner

Chirag R. Patel

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection. Claims 1-12 have been cancelled by applicant. A discussion of the amended claims 13-25 is presented below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodwin et al. (US 5,812,819) in view of Itoh (2001/0021037).

As per claim 13, Rodwin et al. discloses a scanner apparatus configured to scan image data, comprising:

an interface configured to be connected to a terminal apparatus via a network, the terminal apparatus being configured to be connected to a DHCP (Dynamic Host Configuration Protocol) server via the network,

the DHCP server assigning one IP address to the terminal apparatus, the one IP address being assigned to the terminal apparatus for a predetermined time period, and

Art Unit: 2141

a controller configured to receive, from the terminal apparatus, the one IP address assigned to the terminal apparatus, and to transmit the scanned image data to the terminal apparatus during the predetermined time period, based on the received one IP address assigned to the terminal apparatus (Col 5 lines 10-45, Figure 1B item 30)

another IP address assigned to the terminal apparatus when the predetermined time period elapses, the another IP address being assigned to the terminal apparatus for a further predetermined time period by the DHCP server. (Col 8 lines 40-54, Figure 1B item 30)

Rodwin et al. fails to disclose receiving IP address from the terminal apparatus and transmitting scanned image data to the terminal apparatus. Itoh discloses the controller being further configured to receive, from the terminal apparatus, and to transmit the scanned image data to the terminal apparatus during the further predetermined time period, based on the another IP address assigned to the terminal apparatus. ([0106], [0114])

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to receive IP address from the terminal apparatus, and transmit the scanned image to the terminal apparatus based on the scanned image data based upon the IP address the disclosure of Rodwin et al. The motivation for doing so would have been to directly transmitting an image data signal from a scanner device to a PC without using a server apparatus, such as, a mail server. ([0015])

Art Unit: 2141

As per claim 14, Rodwin et al. / Itoh disclose the scanner apparatus according to claim 13. Rodwin et al. fails to disclose memory configured to store and delete IP address from memory. Itoh discloses comprising a memory configured to store the one IP address assigned to the terminal apparatus, wherein, when the controller receives the another IP address assigned to the terminal apparatus, the controller deletes the one IP address stored in the memory and stores the another IP address in the memory. ([0073],[0074])

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to record and delete IP address assigned to the terminal apparatus in the disclosure of Rodwin et al. The motivation for doing do would have been to allow the user can freely register, correct, and eliminate the registered information stored in the network setting memory. ([0074])

Claim 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Rodwin et al. (US 5,812,819) /Itoh (2001/0021037) in view of Sawyer et al. (US 6, 466,986).

As per claim 15, Rodwin et al. /Itoh disclose the scanner apparatus according to claim 13. Rodwin et al. fails to disclose memory configured to store IP address and predetermined time and deletes IP address when predetermined time expires. Itoh discloses further comprising a memory configured to store the one IP address assigned to the terminal apparatus, wherein when the

Art Unit: 2141

controller receives, from the terminal apparatus, the one IP address assigned to the terminal apparatus, and the controller stores, in the memory, the one IP address assigned to the terminal apparatus corresponding to the one IP address, and deletes the one IP address. ([0073],[0074] Itoh fails to mention a predetermined time period and deleting IP address when predetermined time period expires. Sawyer et al. discloses a predetermined time period, and deleting IP address when predetermined time period expires. (Col 5 lines 5 - 50)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose memory configured to store IP address and predetermined time and deletes IP address when predetermined time expires in the disclosure of Rodwin et al. The motivation for doing so would have been to allow the user can freely register, correct, and eliminate the registered information stored in the network setting memory (Itoh, [0074]) and centrally manage the assignment and reassignment of unused IP addresses (Sawyer et al. , Col 1 lines 13-23)

Claims 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Claim 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Rodwin et al. (US 5,812,819) /Itoh (2001/0021037) in view of Roy et al. (US 2002/ 0062366)/ Kumpf et al. (US 6,839,755)

Rodwin et al./Itoh disclose the scanner apparatus according to claim 13.

Rodwin et al. fails to disclose a predetermined packet to search for scanner apparatus, and a response to predetermined packet when predetermined packet matches identification information of the scanner apparatus. Roy et al. discloses wherein the controller receives, from the terminal apparatus, a predetermined packet, the predetermined packet being configured to search for the scanner apparatus connectable to the terminal apparatus, the predetermined packet including identification information, the identification information identifying the terminal apparatus, and the controller transmits, to the terminal apparatus, a response to the predetermined packet. ([0023],[0042]). Roy et al. fails to disclose when the identification information included in the predetermined packet matches identification information of the scanner apparatus. Kumpf et al. discloses controller transmits, to the terminal apparatus, a response to the predetermined packet when the identification information included in the predetermined packet matches identification information of the scanner apparatus. (Col 4 lines 47-63)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have a predetermined packet to search for scanner apparatus, and a response to predetermined packet when predetermined packet matches identification information of the scanner apparatus in the disclosure of Rodwin et al. The motivation for doing so would have been to allow clients to find either all devices that reside on the network. (Roy et al. [0022]) and determine if a certain scan management information base

Art Unit: 2141

(MIB) object exists on the server to remove servers that do not support scanning.

(Kumpf et al., Col 4 lines 35-46)

As per claim 17, Rodwin et al. / Itoh / Roy et al. / Kumpf et al. disclose the scanner apparatus according to claim 16, Rodwin et al. fails to disclose wherein the response to the predetermined packet includes an IP address of the scanner apparatus. Roy et al. discloses wherein the response to the predetermined packet includes an IP address of the scanner apparatus. ([0023]) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to in the disclosure of Rodwin et al. The motivation for doing do would have been to learn additional information about those devices which have an assigned IP address. ([0012])

As per claim 18, Rodwin et al. / Itoh / Roy et al. / Kumpf et al. disclose the scanner apparatus according to claim 17. Rodwin et al. fails to discloses receiving IP address assigned to the terminal apparatus. Itoh et al. discloses Wherein the controller receives, from the terminal apparatus, the IP address assigned to the terminal apparatus, based on the IP address of the scanner apparatus included in the response to the predetermined packet. ([0106]).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to receive IP address assigned to the terminal apparatus in the disclosure of Rodwin et al. The motivation for doing do would

Art Unit: 2141

have been to directly transmit an image data signal from a scanner device to a PC without using a server apparatus, such as, a mail server. ([0115])

As per claims 19-25, please see the discussion above as it relates to the same subject matter.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references are disclosed in


Art Unit: 2141

the Notices of References cited page and teach numerous ways of implementing an image information transmitting system, scanner apparatus and user terminal apparatus, and image information transmitting system. A close review of these references is recommended.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://paired.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER